

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X		
BROOKLYN BOTTLING OF MILTON,	:	
NEW YORK, INC.,	:	Index No. 07 CIV 8483 (AKH )
Plaintiff,	:	
	:	NOTICE OF MOTION
-against-	:	TO AMEND COMPLAINT
	:	
ECUABEVERAGE, CORP.	:	
Defendant.	:	
-----X		

S I R S :

PLEASE TAKE NOTICE that upon the annexed affirmation of Jeffrey E. Jacobson, sworn to on the 26<sup>th</sup> day of February, 2008, and the exhibits attached thereto, Plaintiff Brooklyn Bottling of Milton, New York, Inc. will move this Court, on the 21<sup>st</sup> day of March, 2008 at 9:30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, before the Honorable Judge Hellerstein, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, for an Order, pursuant to Federal Rules of Civil

Procedure Rule 15, granting Plaintiff's motion to amend the complaint and for such other relief as this Court deems just and proper.

Dated: New York, New York  
February 26, 2008

Respectfully submitted,

JACOBSON & COLFIN, P.C.

By: /Jeffrey E. Jacobson/

Jeffrey E. Jacobson (JEJ 1199)  
Bruce E. Colfin (BEC 5815)  
Attorneys for Plaintiff  
Brooklyn Bottling of Milton, NY, Inc.  
60 Madison Avenue, Suite 1026  
New York, NY 10010  
212-691-5630

To: Edwin D. Schindler  
Attorney for Defendant  
5 Hirsch Avenue  
P.O. Box 966  
Coram, NY 11727-0966

ecuabeverage.notice